

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

11/18/2019

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ELECTRONICALLY FILED

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In re:

Case No. 7:19-cv-9111-NSR

EMPIRE GENERATING CO, LLC, *et al.*<sup>1</sup>  
Debtor.

ASSF IV AIV B HOLDINGS III, L.P., *et al.*,  
Appellants,

Appeal from Chapter 11  
Bankr. Case No. 19-23007 (RDD)  
Jointly Administered

v.

EMPIRE GENERATING CO, LLC, *et al.*,  
Appellees.

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**[PROPOSED] ORDER GRANTING UNOPPOSED  
MOTION TO CONSOLIDATE APPEALS**

Upon the Unopposed Motion to Consolidate Appeals [Dkt. ]<sup>8</sup> of ASSF IV AIV Holdings III, L.P., AEIF Trade, LLC, and SPTIF Parent, LLC, secured creditors in the jointly administered chapter 11 cases in Case No. 19-23007 before the bankruptcy court and appellants in the above-captioned appeal and Appeal No. 7:19-cv-9146-NSR, the Court having considered the written submissions respecting the Motion, and it appearing that the relief requested in the Motion is appropriate pursuant to Federal Rule of Civil Procedure 42(a), it is here by ORDERED that:

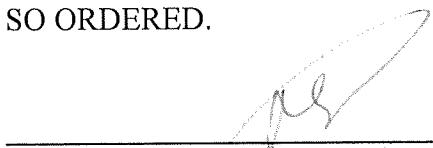
1. The Motion is GRANTED.

<sup>1</sup> Debtors in these chapter 11 cases, along with the last four digits of each Debtor's tax identification number are: Empire Generating Co, LLC [3821], Empire Gen Holdco, LLC [3820], Empire Gen Holdings, LLC [4849], and TTK Empire Power, LLC [none]. The Debtors' corporate address is: Empire Generating Co, LLC, c/o Tyr Energy, LLC, 7500 College Blvd., Suite 400, Overland Park, Kansas 66210.

2. Appeal Nos. 7:19-cv-9111 and 7:19-cv-9146 are hereby consolidated pursuant to Federal Rule of Civil Procedure 42(a). All documents shall bear both captions and both docket numbers in Appeal Nos. 7:19-cv-9111 (NSR) and 7:19-cv-9146 (NSR) with the lead case being Appeal No. 7:19-cv-9111 (NSR) .

SO ORDERED.

Dated: White Plains, NY  
Nov. 18, 2019

  
Nelson S. Román, U.S.D.J.

*Clerk of the Court requested to  
terminate the motion (doc. 18).*